posed purpose of creating a compulsory submission, that exception was made of questions involving "independence," "honor," "vital interests," or the interests of third powers. The author is quite right in maintaining that in this way all matters of real importance were excepted from the obligation.

From what has been stated, the inference will correctly be drawn that the author is not a supporter of the Covenant of the League of Nations, his hopes for the future being centered upon the development of the judicial method of determining international disputes.

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THE LEAGUE OF NATIONS AND THE NEW INTERNATIONAL LAW. By JOHN EUGENE HARLEY. New York: OXFORD UNIVERSITY PRESS. 1921. pp. vii, 127.

In this brief essay, the author has endeavored to indicate some of the new phases of international relations resulting from the adoption of the Covenant. He outlines the method of the League in strengthening international law as an agency for the limitation and control of future wars and briefly describes the machinery which the League has set up for the determination of disputes and for the establishment of better sanctions. He has brief chapters on the codification of international law, on the labor organization and on the juridical status of the League. He has devoted much thoughtful consideration to the analysis of the legal effect of the Covenant for member states and non-member states. Occasionally he arrives at conclusions with which not all will agree. He says, for example, that the members "surrendered or delegated to the League itself three attributes or powers of sovereignty," *viz.*, the right to remain neutral, the right of conquest and the right to make war at will (pp. 50-51). Under such an interpretation, sovereignty would be deemed partially surrendered in every case in which a nation binds itself, by treaty or otherwise, to refrain from doing an act which it has the power to do. Opponents of the League in this country were inclined to take this view of sovereignty but it is unusual to find it adopted by an enthusiastic supporter of the League. Nor does this use of the term square with the author's own definition taken from Wheaton, that "external sovereignty consists in the independence of one political society in respect to all other political societies." But whether the author's view of sovereignty be adopted or rejected, there has been no transfer or delegation of the surrendered powers to the organs of the League, as he repeatedly asserts. The members have at most agreed to exercise these powers *in concert* under certain circumstances; the author's view, on the contrary, would approach the concept of a super-state. Again in illustrating the difference between justiciable and political disputes, the author cites *Doe* v. *Braden*,[1] *The Three Friends*,[2] and other cases in which the Supreme Court refused to review a political question. The question whether a treaty with a foreign nation has been properly ratified by that nation is political only when viewed by a national court in an application to control acts of the executive. Surely in the event of an alleged breach of the treaty, an international court would regard the question of ratification as justiciable. We venture to suggest that the antithesis to "political" in this class of cases is "judicial" and not "justiciable."

The appendices contain useful material illustrating the evolution of the Covenant and the plan for the Court.

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[1] (U. S. 1854) 16 How. 635.
[2] (1897) 166 U. S. 1, 17 Sup. Ct. 495.